

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:20-cv-00043-MR

STEVE LEE WALDEN MENIUS,)
Plaintiff,)
vs.)
GASTON COUNTY DEPARTMENT)
OF SOCIAL SERVICES, et al.,)
Defendants.)

)

ORDER

THIS MATTER is before the Court on the Plaintiff's *pro se* Letter that he asks the Court to "consider as a motion for Injunctive Relief." [Doc. 47 at 1].

The incarcerated Plaintiff, proceeding *pro se*, filed this civil action based on his adoption at the age of 10 and various incidents that allegedly occurred in the decades that followed, including his criminal activity.¹ On April 1, 2021, the Third Amended Complaint was dismissed as frivolous and the Plaintiff was denied leave to further amend because such would be futile. [Doc. 35]. The Fourth Circuit Court of Appeals affirmed on October 22, 2021.

¹ The Plaintiff filed the Complaint from the Gaston County Jail. He is presently incarcerated at the Franklin Correctional Center.

Menius v. Gaston Cnty. Dep't of Social Servs., No. 21-6610, 2021 WL 4940854 (4th Cir. Oct. 22, 2021).

In the instant Letter, dated October 14, 2021, the Plaintiff complains that: Franklin Correctional Center is requiring him to quarantine for 14 days after a brief stay at the Lincolnton County² Jail for a court date; a continuance in his Lincolnton County criminal case will require him to remain at the Lincolnton County Jail until his next court date in January 2022; criminal charges in Lincolnton, Cleveland, Buncombe, and Henderson Counties are all based on information and pictures obtained by Gaston County; the pending Lincolnton County charges are unfair and he is being “forced” to accept a plea in that case; he is being harassed by the Lincolnton District Attorney; and the North Carolina Habitual Felon Act should not be enforced against him. [Doc. 47].

To the extent that the Plaintiff is seeking an injunction, this is denied because he fails to identify the injunctive relief that he is seeking or any basis for granting such relief in this closed case. Nor has the Plaintiff stated any basis for reconsideration. See generally Rule 60(b). Moreover, to the extent

² Plaintiff repeatedly refers to “Lincolnton County,” which does not exist. Presumably he is referring to Lincoln County, but in any event it is of no consequence as pertains to this matter.

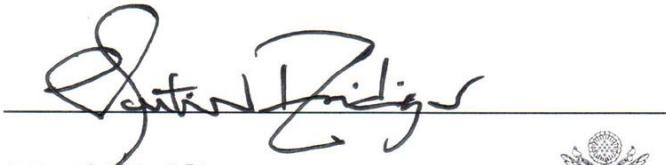
that the Plaintiff is attempting to raise new claims, he must do so, if at all, in a new civil action.

IT IS, THEREFORE, ORDERED that Plaintiff's *pro se* Letter [Doc. 47] is construed as a Motion and is **DENIED**.

The Clerk is respectfully instructed to mail the Plaintiff blank § 1983, § 2241, and § 2254 forms.

IT IS SO ORDERED.

Signed: October 27, 2021



Martin Reidinger
Chief United States District Judge 